

***United States Court of Appeals
for the Second Circuit***



**SUPPLEMENTAL
APPENDIX**

77-6204

UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

Docket No. 77-6204

B

JOHN V. COLLINS,

Plaintiff-Appellant,

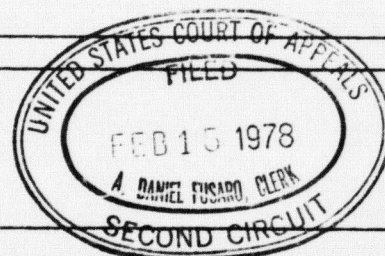
- against -

UNITED STATES OF AMERICA

Defendant-Appellee.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK

SUPPLEMENTAL APPENDIX



DAVID G. TRAGER
United States Attorney
Eastern District of New York

HARVEY M. STONE
PROSPER K. PARKERTON
Assistant United States Attorneys

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TABLE OF CONTENTS

	<u>Page</u>
Copy of Docket Entries	1-2
Complaint	3-4
Notice of Motion to Dismiss Complaint	5
Notice of Appeal	6

1

DIST/OFFICE	DOCKET YR. NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	DEMAND	JUDGE NUMBER	JURY DEM.	DOCKET YR. NUMBER
2073	77 1023	05 18 77			1		APPEAL	0722		
PLAINTIFFS							DEFENDANTS			
COLLINS, JOHN V. JOHN V. COLLINS							U.S.A. UNITED STATES OF AMERICA			
CAUSE										
T-12, U.S.C. Sect. 412 Pltff holds that the Constitution, Article One, Sect. Eight, Clauses Five & Six establishes the money of the U.S. to be the property of the U.S. while the Federal Reserve Act makes money private property. Pltff seeks to have Federal Reserve Act declared unconstitutional.										
ATTORNEYS										
For Pltff Pro se John V. Collins 1042 Carll Drive Bay Shore, NY 11706							for deft: AUSA Prosper Parkerton			
☐ CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS		FILING FEES PAID						STATISTICAL CARDS		
		DATE	RECEIPT NUMBER	C.D. NUMBER		CARD		DATE MAILED		

1023 COLLINS, VS U.S.A.			
DATE	NR	PROCEEDINGS	
1/16/77		complaint filed/summons issued	
1-13-77		Summons ret and filed/executed.	tk (1)
6-23-77		Case called for plaintiff's motion for summary judgment	(2)
9-13-77		Pltiff's motion for a default judgment filed.	(3)
9-13-77		Clerk's note of default of the debt filed on doc. # 3.	(3)
9-20-77		Notice of motion ret. 10-13-77 with memo of law to dismiss filed.	(4/5)
9-20-77		Notice of motion ret. 10-13-77 for default judgment filed.	(6)
9-26-77		Platiff's response and objections to deft's motion for dismissal filed.	(7)
10-17-77		Govt's reply memo of law in support of motion to dismiss filed.	(8)
10-19-77		By Pratt, J. - memorandum and order dtd 10-14-77 denying platiff's motion for a default judgment and granting deft's motion to dismiss pursuant to FRCP 12 filed. Copies mailed to parties.	(9)
10-19-77		Judgment dtd 10-19-77 that plaintiff take nothing of the defendant and that the complaint is dismissed filed.	(10)
10/27/77		Letter dtd 10/22/77 of J.V. Collins to the clerk, expressing disagreement with Pratt's decision, and requesting advise as to carrying case to appeal, filed. jm	(11)
10/31/77		Pltiff's notice of appeal, dtd 10/27/77 filed. Docket entries and copy of decket-sheets notice of appeal mailed to C of A. jm	(12)
11/25/77		By Pratt, J. - Order dtd 11/21/77 allowing plttf to prosecute proceeding to conclusion w/o prepayment of fees or costs or security therefor, filed. jm	(13)
12-6-77		Above record certified and mailed to C of A.	ld
12-15-77		Acknow. received from C of A for record on appeal filed.	fy (14)

CIVIL SECTION
 UNITED STATES DISTRICT COURT
 Eastern District of N.Y.
 U.S. Court House
 Brooklyn, 11201, N.Y.

177C 1023

John V. Collins — Plaintiff

vs

The United States — Defendant

NATURE OF COMPLAINT: The Constitution, Article One, Section Eight, Clause Five grants to Congress the power "to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures"

It is an inescapable conclusion therefrom that, Congress having coined money, such money becomes the property of the United States to do with it as it wishes. The Constitution acknowledges this proprietary interest of the United States by providing Congress with the power to protect this ownership by granting to Congress, Article One, Section Eight, Clause six the power "To provide for the punishment of counterfeiting the securities and current coin of the United States."

In enacting the Federal Reserve Act Congress not only lawfully created an agency, the Federal Reserve System, to discharge Congress's function of coining money it also unlawfully granted to private parties the ownership of that money so coined with the result that the United States, to secure the use of its own property, has had

Collins vs The United States Page 2.

has had to issue bonds to the extent of nearly 700 billion dollars and pay interest thereon.

The plaintiff, therefore, asks that this unlawful act be rescinded by the Court declaring the Federal Reserve Act unconstitutional.

Attorney of Record: A Pro Se Proceeding.

[Signature]
/s/ John V. Collins
Plaintiff
1042 Carll Drive
Bay Shore, N.Y.
11706

* * * * *

To support this complaint the following facts are supplied from "The Federal Reserve System", Third Edition, prepared by the Board of Governors of The Federal Reserve System, 1954, Library of Congress Catalog Number 39-26719:

"In summary, Federal Reserve lending power arises from the authority given to the System by law to create money..." Page 54, Paragraph 4.

"For a general idea of money, the two kinds — pocket money and demand deposit money — should be considered together." Page 7, Paragraph 2.

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JUN 11 1964
U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JOHN V. COLLINS,

Plaintiff,

- against -

UNITED STATES,

Defendant.
-----X

NOTICE OF MOTION

Civil Action
No. 77 C 1023

PLEASE TAKE NOTICE that the undersigned will move before the HONORABLE GEORGE C. PRATT, United States District Judge, at the United States Courthouse, 900 Ellison Avenue, Westbury, New York, on the 13th day of October, 1977, at 2:00 p.m. or as soon thereafter as the parties or their counsel can be heard for an order pursuant to Rules 12(b) (1) and 12(b) (6) dismissing the complaint herein because the Court lacks jurisdiction over the subject matter of this action in the absence of a justiciable case or controversy and because the complaint fails to state a claim upon which relief can be granted or, in the event this motion is denied, for an order extending the time of the defendant to answer or otherwise respond to the complaint to and including 10 days from the entry of an order denying the motion, along with such other and further relief as this Court shall deem just and proper.

Dated: Brooklyn, New York
September 16, 1977

DAVID G. TRAGER
United States Attorney
Eastern District of New York
Attorney for Defendant
225 Cadman Plaza East
Brooklyn, New York 11201

By:

151
PROSPER K. PARKERTON
Assistant U.S. Attorney

TO:

JOHN V. COLLINS
Plaintiff, Pro se
1042 Carll Drive
Bay Shore, New York 11706

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOHN V. COLLINS,

Plaintiff,

-against-

UNITED STATES OF AMERICA,

DEFENDANT.

NOTICE OF APPEAL

Civil Action No.

77-C-1023

all
E-77011
APPEAL
772 909
77-1-1023
APPEAL
SCITALL
#71

NOTICE is hereby given that John V. Collins
hereby appeals to the United States Court of Appeals for the
Second Circuit from the final judgment entered in this proceeding
on the 19th day of October, 1977.

Dated: October 27, 1977
Bay Shore, N.Y.

John V. Collins
John V. Collins
1042 Carll Drive
Bay Shore, N.Y. 11706
(516) - 665 - 0318